

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**STEPHANIE BEKENDAM,
TDCJ No. 02105191,**

Petitioner,

v.

**BOBBY LUMPKIN, Director,
Texas Dep't of Criminal Justice,
Correctional Institutions Division,**

Respondent.

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Civil Action No. 7:20-cv-125-O-BP

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

This is a habeas action brought pursuant to 28 U.S.C. § 2254 in which Petitioner Stephanie Bekendam challenges her Wichita County, Texas, conviction for driving while intoxicated, felony repetition. Bekendam also seeks relief under the First Step Act of 2018 and she asks for an emergency restraining order. The United States Magistrate Judge entered his Findings, Conclusions, and Recommendation in which he recommends that the habeas petition be dismissed as time barred and that the First Step Act motion and the request for a restraining order be denied. *See* ECF No. 56. Petitioner did not file objections.

The District Court reviewed the Magistrate Judge's Findings, Conclusions, and Recommendation for plain error. Finding no error, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal of the habeas claims and denial of the remaining claims set forth in the Magistrate Judge's Recommendation are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

For the foregoing reasons, the petition for writ of habeas corpus is **DISMISSED** as barred by the statute of limitations. Petitioner's First Step Act motion and the motion for emergency restraining order are **DENIED**.

For statistical purposes, the **Clerk of Court** shall open and immediately close a civil First Step Act case (Nature of Suit Code 540). The new action shall be directly assigned to the undersigned district judge.

SO ORDERED this **13th day of September, 2021**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE